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UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J.LBR 9004-1

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In re:

Michael Goula

Debtor.

Chapter 13

Case No. 18-25736-MBK

Hearing Date: February 22, 2023

Order Filed on February 28, 2023

U.S. Bankruptcy Court

District of New Jersey

by Clerk

Judge Michael B. Kaplan

CONSENT ORDER VACATING AUTOMATIC STAY

The relief set forth on the following pages is hereby **ORDERED**.

DATED: February 28, 2023

Honorable Michael B. Kaplan United States Bankruptcy Judge Debtor: Michael Goula Case No.: 18-25736-MBK

Caption of Order: CONSENT ORDER VACATING AUTOMATIC STAY

THIS MATTER having been opened to the Court upon the Creditor's Certification of Defaultt ("COD") filed by Specialized Loan Servicing LLC as servicing agent for Citigroup Mortgage Loan Trust 2006-AR1, Mortgage-Backed Notes, Series 2006-AR1, U.S. Bank National Association, as Indenture Trustee ("Creditor"), whereas the post-petition arrearage was \$42,841.86 as of January 4, 2023, whereas the Creditor and Debtor entered into a loan modification effective October 1, 2019 that cured the pre-petition arrearage due at that time, whereas the Parties acknowledge that the foreclosure process characteristically takes longer than 90 days from the date relief from the stay is granted to be concluded, and whereas the Debtor and Creditor seek to resolve the Motion, it is **ORDERED**:

- 1. The automatic stay provided under 11 U.S.C. §362(a) and co-debtor stay provided under 11 U.S.C. §1301 as to Creditor's interest in the following property: **5 Willow Court, Stafford Twp, New Jersey 08050** ("Property") are terminated.
- 2. Creditor, its successors or assignees, may proceed with its rights and remedies under the terms of the subject mortgage and pursue its state court remedies including, but not limited to, taking the Property to sheriff's sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu foreclosure. Additionally, any purchaser of the Property at sheriff's sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the property.
- 3. Creditor may join the Debtor and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code.

STIPULATED AND AGREED:

/s/ Kenneth Borger Kenneth Borger, Esq. Brenner Spiller & Archer 175 Richey Ave Collingswood, NJ 08107 Counsel for Debtor /s/Gavin N. Stewart
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